

EXHIBIT A

A-15-15 ZSS jsm

SUM-100

**SUMMONS
(CITACION JUDICIAL)**

NOTICE TO DEFENDANT: Receivables Performance Management, LLC, a
(AVISO AL DEMANDADO): Delaware limited liability company, and
 Does 1-10,

YOU ARE BEING SUED BY PLAINTIFF: Jacqueline Taylor,
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

FOR COURT USE ONLY
 (SOLO PARA USO DE LA CORTE)

ELECTRONICALLY FILED
 Superior Court of California,
 County of Orange

09/10/2015 at 10:58:17 AM

Clerk of the Superior Court
 By Rita Strom, Deputy Clerk

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form. If you want the court to hear your case, there may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desecher el caso.

The name and address of the court is:
 (El nombre y dirección de la corte es):

CASE NUMBER:
 (Número) 30-2015-00808898-CU-PO-CJC

Judge John C. Gastelum

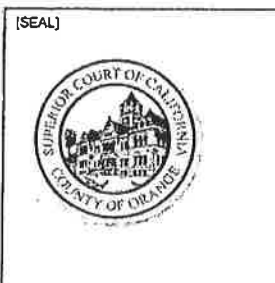
The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
 (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

The Law Offices of Joseph R. Manning, Jr.
 4667 MACARTHUR BLVD STE 150, Suite 150, NEWPORT BEACH, CA 92660-8860 949-200-8755

DATE: 09/10/2015 ALAN CARLSON, Clerk of the Court Clerk, by Rita J. Strom Deputy (Fecha) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
 (Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

Rita Strom



NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☒ on behalf of (specify): Receivables Performance Management LLC

<input type="checkbox"/> under <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
4. ☒ by personal delivery on (date): 9-15-15

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Joseph R. Manning, Jr. SBN: 223381 The Law Offices of Joseph R. Manning, Jr. 4667 MACARTHUR BLVD STE 150, Suite 150, NEWPORT BEACH, TELEPHONE NO.: 949-200-8755 FAX NO.: 866-843-8308 ATTORNEY FOR (Name): Jacqueline Taylor		FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Orange 09/10/2015 at 10:58:17 AM Clerk of the Superior Court By Rita Strom, Deputy Clerk	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 Civic Center Drive West MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, 92701 BRANCH NAME: Central Justice Center			
CASE NAME: Taylor v. Receivables Performance Management, LLC			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) </td> <td style="width: 50%; padding: 5px;"> <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) </td> </tr> </table>			CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		

Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE 30-2015-00808898-CU-PO-CJC JUDGE: Judge John C. Gastelum DEPT:
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Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:
- | | | |
|---|--|--|
| Auto Tort
<input type="checkbox"/> Auto (22)
<input type="checkbox"/> Uninsured motorist (46)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
<input type="checkbox"/> Asbestos (04)
<input type="checkbox"/> Product liability (24)
<input type="checkbox"/> Medical malpractice (45)
<input type="checkbox"/> Other PI/PD/WD (23)
Non-PI/PD/WD (Other) Tort
<input type="checkbox"/> Business tort/unfair business practice (07)
<input type="checkbox"/> Civil rights (08)
<input type="checkbox"/> Defamation (13)
<input type="checkbox"/> Fraud (16)
<input type="checkbox"/> Intellectual property (19)
<input type="checkbox"/> Professional negligence (25)
<input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35)
Employment
<input type="checkbox"/> Wrongful termination (36)
<input type="checkbox"/> Other employment (15) | Contract
<input type="checkbox"/> Breach of contract/warranty (06)
<input type="checkbox"/> Rule 3.740 collections (09)
<input type="checkbox"/> Other collections (09)
<input type="checkbox"/> Insurance coverage (18)
<input type="checkbox"/> Other contract (37)
Real Property
<input type="checkbox"/> Eminent domain/Inverse condemnation (14)
<input type="checkbox"/> Wrongful eviction (33)
<input type="checkbox"/> Other real property (26)
Unlawful Detainer
<input type="checkbox"/> Commercial (31)
<input type="checkbox"/> Residential (32)
<input type="checkbox"/> Drugs (38)
Judicial Review
<input type="checkbox"/> Asset forfeiture (05)
<input type="checkbox"/> Petition re: arbitration award (11)
<input type="checkbox"/> Writ of mandate (02)
<input type="checkbox"/> Other judicial review (39) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
<input type="checkbox"/> Antitrust/Trade regulation (03)
<input type="checkbox"/> Construction defect (10)
<input type="checkbox"/> Mass tort (40)
<input type="checkbox"/> Securities litigation (28)
<input type="checkbox"/> Environmental/Toxic tort (30)
<input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
Enforcement of Judgment
<input type="checkbox"/> Enforcement of judgment (20)
Miscellaneous Civil Complaint
<input type="checkbox"/> RICO (27)
<input type="checkbox"/> Other complaint (not specified above) (42)
Miscellaneous Civil Petition
<input type="checkbox"/> Partnership and corporate governance (21)
<input type="checkbox"/> Other petition (not specified above) (43) |
|---|--|--|
2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
|--|--|
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): One
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-045.)

Date: September 10, 2015

Joseph R. Manning, Jr.

(TYPE OR PRINT NAME)

SIGNATURE OF PARTY OR ATTORNEY FOR PARTY

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

CIVIL CASE COVER SHEET

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort Auto (22)—Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) <i>(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)</i> Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort Asbestos (04) Asbestos Property Damage Asbestos Personal Injury/Wrongful Death Product Liability <i>(not asbestos or toxic/environmental)</i> (24) Medical Malpractice (45) Medical Malpractice—Physicians & Surgeons Other Professional Health Care Malpractice Other PI/PD/WD (23) Premises Liability (e.g., slip and fall) Intentional Bodily Injury/PD/WD (e.g., assault, vandalism) Intentional Infliction of Emotional Distress Negligent Infliction of Emotional Distress Other PI/PD/WD Non-PI/PD/WD (Other) Tort Business Tort/Unfair Business Practice (07) Civil Rights (e.g., discrimination, false arrest) <i>(not civil harassment)</i> (08) Defamation (e.g., slander, libel) (13) Fraud (16) Intellectual Property (19) Professional Negligence (25) Legal Malpractice Other Professional Malpractice <i>(not medical or legal)</i> Other Non-PI/PD/WD Tort (35) Employment Wrongful Termination (36) Other Employment (15)	Contract Breach of Contract/Warranty (06) Breach of Rental/Lease Contract <i>(not unlawful detainer or wrongful eviction)</i> Contract/Warranty Breach—Seller Plaintiff <i>(not fraud or negligence)</i> Negligent Breach of Contract/Warranty Other Breach of Contract/Warranty Collections (e.g., money owed, open book accounts) (09) Collection Case—Seller Plaintiff Other Promissory Note/Collections Case Insurance Coverage <i>(not provisionally complex)</i> (18) Auto Subrogation Other Coverage Other Contract (37) Contractual Fraud Other Contract Dispute Real Property Eminent Domain/Inverse Condemnation (14) Wrongful Eviction (33) Other Real Property (e.g., quiet title) (26) Writ of Possession of Real Property Mortgage Foreclosure Quiet Title Other Real Property <i>(not eminent domain, landlord/tenant, or foreclosure)</i> Unlawful Detainer Commercial (31) Residential (32) Drugs (38) <i>(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)</i> Judicial Review Asset Forfeiture (05) Petition Re: Arbitration Award (11) Writ of Mandate (02) Writ—Administrative Mandamus Writ—Mandamus on Limited Court Case Matter Writ—Other Limited Court Case Review Other Judicial Review (39) Review of Health Officer Order Notice of Appeal—Labor Commissioner Appeals	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403) Antitrust/Trade Regulation (03) Construction Defect (10) Claims Involving Mass Tort (40) Securities Litigation (28) Environmental/Toxic Tort (30) Insurance Coverage Claims <i>(arising from provisionally complex case type listed above)</i> (41) Enforcement of Judgment Enforcement of Judgment (20) Abstract of Judgment (Out of County) Confession of Judgment <i>(non-domestic relations)</i> Sister State Judgment Administrative Agency Award <i>(not unpaid taxes)</i> Petition/Certification of Entry of Judgment on Unpaid Taxes Other Enforcement of Judgment Case Miscellaneous Civil Complaint RICO (27) Other Complaint <i>(not specified above)</i> (42) Declaratory Relief Only Injunctive Relief Only <i>(non-harassment)</i> Mechanics Lien Other Commercial Complaint Case <i>(non-tort/non-complex)</i> Other Civil Complaint <i>(non-tort/non-complex)</i> Miscellaneous Civil Petition Partnership and Corporate Governance (21) Other Petition <i>(not specified above)</i> (43) Civil Harassment Workplace Violence Elder/Dependent Adult Abuse Election Contest Petition for Name Change Petition for Relief From Late Claim Other Civil Petition
--	--	---

1 **MANNING LAW OFFICE**
2 **A PROFESSIONAL CORPORATION**
3 Joseph R. Manning, Jr., Esq. (State Bar No. 223381)
4 Michael J. Manning, Esq. (State Bar No. 286879)
5 Phillip B. Nghiem, Esq. (State Bar No. 291525)
6 4667 MacArthur Boulevard, Suite 150
7 Newport Beach, CA 92660
8 PH: (949) 200-8755
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ELECTRONICALLY FILED
Superior Court of California,
County of Orange

09/10/2015 at 10:58:17 AM

Clerk of the Superior Court
By Rita Strom, Deputy Clerk

6 Attorneys for Plaintiff: Jacqueline Taylor

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF ORANGE- CENTRAL JUSTICE CENTER**

30-2015-00808898-CU-PO-CJC

10 Jacqueline Taylor,
11 Plaintiff,

Case No.: _____ Judge John C. Gastelum

COMPLAINT

12 vs.

13 Receivables Performance Management,
14 LLC, a Delaware limited liability
15 company, and Does 1-10,
16 Defendants.

JURY TRIAL DEMANDED

17 Plaintiff Jacqueline Taylor ("Taylor" or "Plaintiff"), makes this complaint against
18 Defendant Receivables Performance Management ("RPM" or "Defendant") and Does 1 to 10
19 (collectively, "Defendants").

20 **INTRODUCTION**

21 1. Plaintiff, through her attorneys, brings this action to challenge the actions of
22 Defendant for calling her wireless cellular telephone multiple times without her prior express
23 consent and without emergency purpose by using an automatic telephone dialing system (ATDS).
24

25
26
27 **COMPLAINT**
28

1 2. The Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq., (“TCPA”) was
 2 designed to prevent calls like the ones described within this complaint, and to protect the privacy
 3 of citizens like Plaintiff. “Voluminous consumer complaints about abuses of technology—for
 4 example, computerized calls dispatched to private homes—prompted Congress to pass the
 5 TCPA.” Mims v. Arrow Fin. Servs., LLC, 132 S. Ct. 740, 744 (2012).

6
 7 3. In enacting the TCPA, Congress intended to give consumers a choice as to how
 8 creditors and telemarketers may call them, and made specific findings that “[t]echnologies that
 9 might allow consumers to avoid receiving such calls are not universally available, are costly, are
 10 unlikely to be enforced, or place an inordinate burden on the consumer. TCPA, Pub.L. No. 102-
 11 243, § 11. Toward this end, Congress found that:

12 [b]anning such *automated* or prerecorded telephone calls to the home, except when
 13 the receiving party consents to receiving the call or when such calls are necessary in
 14 an emergency situation affecting the health and safety of the consumer, is the only
 15 effective means of protecting telephone consumers from this nuisance and privacy
 invasion.

16 Id. at § 12 (emphasis added); see also Marin v. Leading Edge Recovery Solutions, LLC, 2012
 17 WL 3292838, at *4 (N.D. Ill. Aug. 10, 2012) (citing Congressional findings on TCPA’s
 18 purpose).

19 4. Congress also specifically found that “the evidence presented to the Congress
 20 indicates that *automated* or prerecorded calls are a nuisance and an invasion of privacy, regardless
 21 of the type of call . . .” Id. at §§ 12-13. See also, Mims, 132 S.Ct. at 744 (emphasis added).

22
 23 5. As Judge Easterbrook of the Seventh Circuit recently explained in a TCPA case
 24 regarding calls similar to this one:

25 The Telephone Consumer Protection Act ... is well known for its provisions limiting
 26 junk-fax transmissions. A less-litigated part of the Act curtails the use of automated
 27

1 dialers and prerecorded messages to cell phones, whose subscribers often are billed by the
2 minute as soon as the call is answered—and routing a call to voicemail counts as
3 answering the call. An automated call to a landline phone can be an annoyance; an
4 automated call to a cell phone adds expense to annoyance.

5 PARTIES

6 6. Plaintiff Jacqueline Taylor is a natural person residing in California. Plaintiff is, and
7 at all times mentioned herein was, a citizen and resident of the State of California, and therefore
8 and was a “person” as defined by 47 U.S.C. § 153(39).

9 7. Defendant Receivables Performance Management is a Washington limited liability
10 company with its principal which maintains its offices at 20816 44th Avenue W # Main,
11 Lynnwood, WA 98036. RPM is a debt collector.

12 8. Defendant, is and at all times mentioned herein was, a corporation and is a
13 “person,” as defined by 47 U.S.C. § 153(39).

14 JURISDICTION AND VENUE

15 9. This Court may exercise jurisdiction over this case and these parties under Code of
16 Civil Procedure § 410.10. This is a court of general jurisdiction, and the amount in controversy
17 exceeds this Court’s jurisdictional minimum. Plaintiff is a California resident.

18 10. Venue in this District is proper because Defendants’ offensive acts occurred in this
19 District. Defendants caused telephone calls to be placed in this District to Plaintiff.

20 11. All allegations in this complaint are based on information and/or the documents and
21 information currently available and in the hands of Plaintiff’s attorneys, and are such that
22 additionally evidentiary support and detail will be forthcoming after a reasonable opportunity for
23 further investigation or discovery.
24
25

26 ///

27 COMPLAINT

FACTUAL ALLEGATIONS

12. Since on or about January of 2015 to the present, Defendant and/or its agents began calling Plaintiff's wireless cellular telephone.

13. On information and belief, Defendant called Plaintiff's cellular telephone looking for someone other than Plaintiff.

14. Because Plaintiff has never owed a debt to Defendant, it did not have Plaintiff's prior express consent to contact her on her cellular telephone.

15. Defendant placed these calls to Plaintiff's cellular telephone via an automatic telephone dialing system.

16. An ATDS is equipment that has the capacity to store or produce telephone numbers to be called, using a random or sequential number generator, and utilizes such equipment to dial such numbers. This definition includes systems that dial a fixed set of numbers from a list.

17. The calls to Plaintiff's cellular telephone were not for emergency purposes, as Plaintiff believes that they were intended solely for debt collection activity.

18. As a result of Defendant's harassing phone calls, Plaintiff is entitled to damages.

CAUSES OF ACTION

FIRST CAUSE OF ACTION:

VIOLATION OF TCPA

(Against All Defendants)

19. Plaintiff hereby incorporates by reference the allegations contained in all preceding paragraphs of this complaint.

20. Defendants make outgoing calls to consumers and others in the regular course of

COMPLAINT

1 its business. Defendants' telephone system uses an autodialer: i.e., when the telephone system
2 makes a call, it dials the numbers automatically, so that no human manually dials any telephone
3 numbers. Defendants' telephone system is capable of storing, producing, and dialing any
4 telephone number, and is capable of storing, producing, and dialing telephone numbers
5 automatically. Defendants' telephone system otherwise constitutes an "automatic telephone
6 dialing system" under the meaning of 47 U.S.C. §277 (a)(1).
7

8 21. Defendants violated 47 U.S.C. § 227(b)(1)(A)(iii) by placing non-emergency
9 telephone calls to Plaintiff (1) that were automatically dialed by Defendants' telephone system;
10 (2) made to Plaintiff's cellular telephone number; (3) without Plaintiff's express consent.

11 22. Plaintiff seeks to recover statutory damages, as well as injunctive and equitable
12 relief under 47 U.S.C. §227(b)(3).
13

14 PRAYER

15 WHEREFORE, Plaintiff respectfully requests that the Court grant Plaintiff the following
16 relief against Defendants:

- 17 a. Judgment against Defendants, and in favor of Plaintiff in the amount of \$500 per
18 violation of the TCPA as proven at trial;
19
20 b. Judgment against Defendants, and in favor of Plaintiff in the amount of \$1,500 per
21 willful violation of the TCPA as proven at trial;
22
23 c. Equitable and injunctive relief, including injunctions enjoining further violations of the
24 TCPA;
25
26 d. An award of reasonable attorneys fees and costs; AND
27
28 e. Such other and further relief as this Court may deem appropriate.

COMPLAINT

DEMAND FOR TRIAL BY JURY

Plaintiffs hereby demand trial of all causes by jury.

Dated: September/0, 2015

By: 

Joseph R. Manning, Jr., Esq.
Michael J. Manning, Esq.
Phillip B. Nghiem, Esq.
Manning Law Office
A PROFESSIONAL CORPORATION
Attorney for Plaintiff, Jacqueline Taylor

COMPLAINT

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss

I am employed in the County of Los Angeles, State of California.

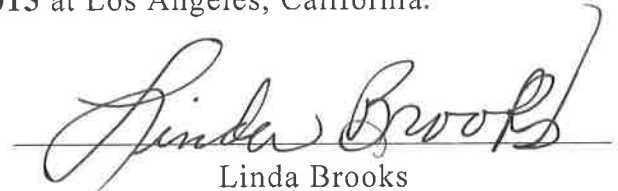
I am over the age of eighteen years and not a party to the within action. My business address is 5959 W. Century Blvd., Suite 1214, Los Angeles, California 90045.

On **October 14, 2015**, I served the foregoing document(s) described as **NOTICE OF REMOVAL** on all interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

- ☒ **BY MAIL:** I sealed such envelope(s) and placed it (them) for collection and mailing on this date following the ordinary business practices of Carlson & Messer LLP. I am readily familiar with the business practices of Carlson & Messer LLP for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence would be deposited with the United States Postal Service at Los Angeles, California this same day in the ordinary course of business with postage thereon fully prepaid.
- ☐ **PERSONAL SERVICE BY HAND-** I personally served document to address stated on POS Service List.
- ☐ **VIA NEXT DAY FEDERAL EXPRESS:** I delivered the above described documents in the above described envelopes to Federal Express for delivery via FedEx next business afternoon.
- ☐ **BY FACSIMILE:** I transmitted via telecopier machine such document to the interested parties at the facsimile number(s) listed on the attached service list
- ☐ **(STATE):** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ **(FEDERAL):** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed this **14th** day of **October, 2015** at Los Angeles, California.


Linda Brooks

SERVICE LIST

Jacqueline Taylor v. Receivables Performance Management, LLC
File No. 08091.00

Joseph R. Manning, Jr. Attorneys for Plaintiff:
The Law Offices of Joseph R. Manning, Jr. **JACQUELINE TAYLOR**
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Newport Beach, California 92660-8860
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